

**AMENDMENT NUMBER 4
TO THE
LOCAL COOPERATION AGREEMENT
BETWEEN
THE DEPARTMENT OF THE ARMY
AND
THE STATE OF CALIFORNIA
ON THE SACRAMENTO RIVER BANK PROTECTION PROJECT**

THIS AMENDMENT is entered into this _____ day of _____ 2007 by and between the **DEPARTMENT OF THE ARMY**, (hereinafter "Government"), represented by the Assistant Secretary of the Army, Civil Works, and the **STATE OF CALIFORNIA** (hereinafter the "Non-Federal Sponsor"), represented by the Central Valley Flood Protection Board.

WITNESSETH, THAT:

WHEREAS, the Government and the Non-Federal Sponsor entered into a Local Cooperation Agreement on April 20, 1984 (hereinafter referred to as the "Agreement") for the Sacramento River Bank Protection Project (hereinafter referred to as the "Project");

WHEREAS, the original agreement terms failed to reference a number for the lineal feet of river bank authorized by the statute for inclusion in the project;

WHEREAS, the authorized project lineal footage is 405,000 linear feet, as established by the Flood Control Act of 1960, approved 86th Congress, Second Session (Public Law 86-645), as supplemented by the River Basin Monetary Authorization Act of 1974, approved 93rd Congress, Second Session (Public Law 93-251), as supplemented further by Joint Resolution of Congress (Public Law 97-377);

WHEREAS, the Water Resource Development Act of 2007 (Public Law 110-114, Section 3031 authorizes 485,000 lineal feet;

NOW, THEREFORE, the Government and the Non-Federal Sponsor agree that the Agreement is hereby amended in the following particulars but in no others by adding the following:

4. The authorized linear feet are hereby amended to read 485,000 as established by the Water Resource Development Act of 2007, (Public Law 110-114, Section 3031).

IN WITNESS WHEREOF, the parties hereto have executed this amendment to the Agreement, which shall become effective upon the date it is signed by the authorized representative of the Government.

THE DEPARTMENT OF THE ARMY

THE STATE OF CALIFORNIA

Represented by the Central Valley Flood
Protection Board

BY: _____
Colonel Thomas C. Chapman
District Engineer
Corps of Engineers
Sacramento District

BY: _____
Benjamin F. Carter
President
Central Valley Flood Protection Board

DATE: _____

DATE: _____

CERTIFICATE OF AUTHORITY

I, _____, do hereby certify that I am the principal legal officer of the State of California, acting by and through its Central Valley Flood Protection Board, a legally constituted public body with full authority and legal capability to perform the terms of the Agreement between the Department of the Army and the State of California, as amended by Amendment Number 4 to the Agreement, in connection with THE SACRAMENTO RIVER BANK PROTECTION PROJECT and to pay damages in accordance with the terms of the amended Agreement, if necessary, in the event of the failure to perform, as required by Section 221 of Public Law 91-611 (42 U.S.C. Section 1962d-5b), and that the persons who have executed this Agreement on behalf of State of California, acting by and through its Central Valley Flood Protection Board, have acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this certification on this _____ day of _____ 2008.

Attorney for the Central Valley
Flood Protection Board

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

BY: _____

Jay Punia
Executive Officer
Central Valley Flood Protection Board

DATE: _____